

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**B & R SUPERMARKET, INC., d/b/a  
MILAM'S MARKET, a Florida  
corporation, et al., Individually and on  
Behalf of All Others Similarly Situated,**

Plaintiffs,

V.

VISA, INC., a Delaware corporation, et al.,

Defendants.

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Case No. 1:17-cv-02738-MKB-JO

CLASS ACTION

**AMENDED ORDER  
REGARDING CASE SCHEDULE**

The parties provide the following proposed amendments to the Court's October 16, 2017 Scheduling Order in this action:

<b>EVENT</b>	<b>PREVIOUS DEADLINE</b>	<b>NEW DEADLINE</b>
Fact Discovery Cut-off <sup>1</sup>	April 30, 2018	June 14, 2018
Renewed Class Certification Motion	None	July 16, 2018
Response to Renewed Class Certification Motion	None	No earlier than September 14, 2018
Reply to Renewed Class Certification Motion	None	No earlier than October 15, 2018
Hearing on Renewed Class Certification Motion	None	To be determined by the Court
Opening Expert Reports	May 31, 2018	To be determined, but in no event later than August 31, 2018
Expert Opposition Reports	September 28, 2018	To be determined
Expert Reply Reports	October 31, 2018	To be determined
Expert Discovery Cut-Off	December 28, 2018	To be determined, but in no event later than August 30, 2019

<sup>1</sup> The forty-five-day day extension of the current fact discovery deadline of April 30, 2018, is for the completion of: (i) non-party discovery (non-named B&R Plaintiffs or Defendants) in whatever form; and (ii) meet and confer and document production on the currently served discovery on Defendants Visa, American Express, and Discover relating to network and acquirer data through October 2017. Notwithstanding the foregoing, the parties may agree to a reasonable postponement of depositions noticed only in this action, if requested.

EVENT	PREVIOUS DEADLINE	NEW DEADLINE
Filing of Dispositive Motions	February 15, 2019	To be determined
Responses to Dispositive Motions	March 29, 2019	To be determined
Replies to Dispositive Motions	April 30, 2019	To be determined
Hearing on Dispositive Motions	To be determined by the Court	To be determined by the Court

**IT IS SO ORDERED.**

DATED: April 13, 2018

/s/  
THE HONORABLE JAMES ORENSTEIN  
UNITED STATES MAGISTRATE JUDGE